

Special Collections and Archives

In accordance with the terms and conditions set forth herein, I (we)

_____ (the "Donors"), as sole owner(s) and/or author(s) of materials described in the attached Exhibit A (the "Materials"), which is made a part hereof, do hereby give physical ownership of the Materials to the Tomlinson Library (the "Library"), Colorado Mesa University for inclusion in its Special Collections and Archives. The Donor conveys, transfers, assigns and delivers all rights, title, interest and any literary rights the Donor possesses in the Materials to Colorado Mesa University.

1. The Donor hereby warrants that it has good and clear title to the Materials and agrees to indemnify and hold the University and the Library harmless from any claim, liability, action, damages or suit arising out of an alleged defect in the Donor's title to the Materials.
2. The Library shall make the Materials available to the public in accordance with its standard practices and the copyright laws of the United States, as amended from time to time, without any restrictions except for lawful and reasonable restrictions imposed by the Donor as a condition of the gift. Any restrictions imposed by the Donor are described hereinafter together with a date on which the restrictions shall expire. The Library will not accept or will return the Materials if in its judgment the restrictions imposed by the Donor are unlawful or unreasonable.
3. It is understood that the Library may use the Materials as desired including use in displays, instruction, reproductions, publications (including online and in electronic/digital formats) and disposition.
4. In the event the Donor may hereafter give, donate and convey to the University, for inclusion in Special Collections and Archives, additional Materials, title to such additional Materials shall pass to the University upon the delivery, and all the provisions of this instrument of gift shall be applicable to such additional Materials. A description of the additional Materials so donated and delivered shall be prepared and attached to this Deed of Gift.
5. The University is authorized to dispose of any Materials in the collection that Special Collections and Archives, in its sole discretion, determines are no longer necessary to the collection. In such event the Materials specified below will be returned to Donor or to Donor's heirs if Donor is no longer living (use attached sheet if necessary):

Released by:

Donors Signature(s)

Print Name(s)

Address: _____

Telephone: _____ Email: _____

Accepted and received this _____ day of _____, 20____

Released to:

(Special Collections and Archives Librarian or Library Director Signature)

Exhibit A ("the Materials")

List and describe the materials here (use attached sheet if necessary):

_____ I wish to restrict
access to the materials described below until (date) _____:

I/we agree to abide by these restrictions:

Signature: _____ Date: _____
(Library Director or Special Collections and Archives Librarian)